

REMARKS

Claims 1-33 remain in this application. Claims 7, 8, 11, 12, 18, 19, 22, 23, 28, 29, 32 and 33 have been withdrawn from consideration.

Claims 1, 3, 13, 14 and 24 have been amended to further differentiate the present invention from the prior art. The specification and drawings have been duly amended to support these claim amendments.

No new matter has been added by these amendments, full support for these amendments being found throughout the originally-filed specification, claims and drawings.

Transmittal of Substitute Drawings

Filed concurrently herewith is a substitute set of drawings which incorporate drawing amendments which duly support the present claim amendments.

Objections to the Specification

The amendments to the specification filed June 3, 2005 is objected to under 35 U.S.C. § 132(a) as introducing new matter into the disclosure. The perceived new matter identified by the examiner is the added language from the paragraph beginning at the top of page 6 and in the paragraph beginning on page 7, line 9. By the amendments herein, applicants have duly amended both of these two paragraphs to remove the perceived new matter.

Accordingly, applicants request that the objections to the specification be withdrawn.

Rejections Under 35 U.S.C. § 112

Claims 1-6, 9, 10, 13-17, 20, 21, 24-27, 30 and 31 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. By the amendments herein, applicants have addressed these rejections. Accordingly, the rejection of claims 1-6, 9, 10, 13-17, 20, 21, 24-27, 30 and 31 under 35 U.S.C. § 112, first paragraph, should be withdrawn.

Rejections Under 35 U.S.C. § 102

Claims 1, 2 and 4 are rejected under 35 U.S.C. § 102(b) as being anticipated by Dencker (U.S. Pat. No. 6,039,392). Applicants respectfully traverse these rejections.

After the amendments herein, all of the claims are now limited to embodiments wherein the seating surface can be vertically adjusted without affecting the distance between the rearward edge of the work surface and the forward edge of the seating surface, vice versa or both. Dencker teaches a chair and desk combination wherein adjustments to the height of the seating surface necessarily adjusts the distance between the rearward edge of the work surface and the forward edge of the seating surface. In the Dencker chair and desk combination, the distance between the rearward edge of the work surface and the forward edge of the seating surface necessarily narrows as the height of

the seating surface is adjusted upwardly. This obviously poses a problem for an individual who is tall but relatively thin. The invention of the present application solves this inherent problem in Dencker by allowing for the independent adjustment of the seating surface height and the distance between the rearward edge of the work surface and the forward edge of the seating surface. Since none of the claims can now be said to be anticipated by Dencker, the rejections of claims 1-4, 13-15, 24 and 25 under 35 U.S.C. § 102(b) should be withdrawn.

Rejections Under 35 U.S.C. § 103

Claims 3, 5, 6, 13-17 and 24-27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dencker in view of Merrill (U.S. Pat. No. 2,168,910). Claims 9, 10, 20, 21, 30 and 31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dencker in view of Merrill and further in view of Maloney (U.S. Pat. No. 5,507,550).

As discussed above, each of the claims are now limited to chair desk combination wherein the seating surface can be vertically adjusted without affecting the distance between the rearward edge of the work surface and the forward edge of the seating surface, vice versa or both. None of the references cited herein teaches, discloses or fairly suggests a chair desk combination having these features. In fact, the present rejections under 35 U.S.C. § 103 now lack a *prima facie* case of obviousness. Accordingly, applicants respectfully request that the rejections under 35 U.S.C. § 103 be withdrawn.

**CONCLUSION**

For the reasons set forth above, applicant respectfully submits that all of the claims remaining in the application are now in condition for allowance. Accordingly, reconsideration, reexamination and allowance of all claims is requested.

Respectfully submitted,

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I hereby certify that on October 3, 2005, I deposited with the U.S. Postal Service this package, addressed to the COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450.

Jennifer Anka  
Jennifer Anka



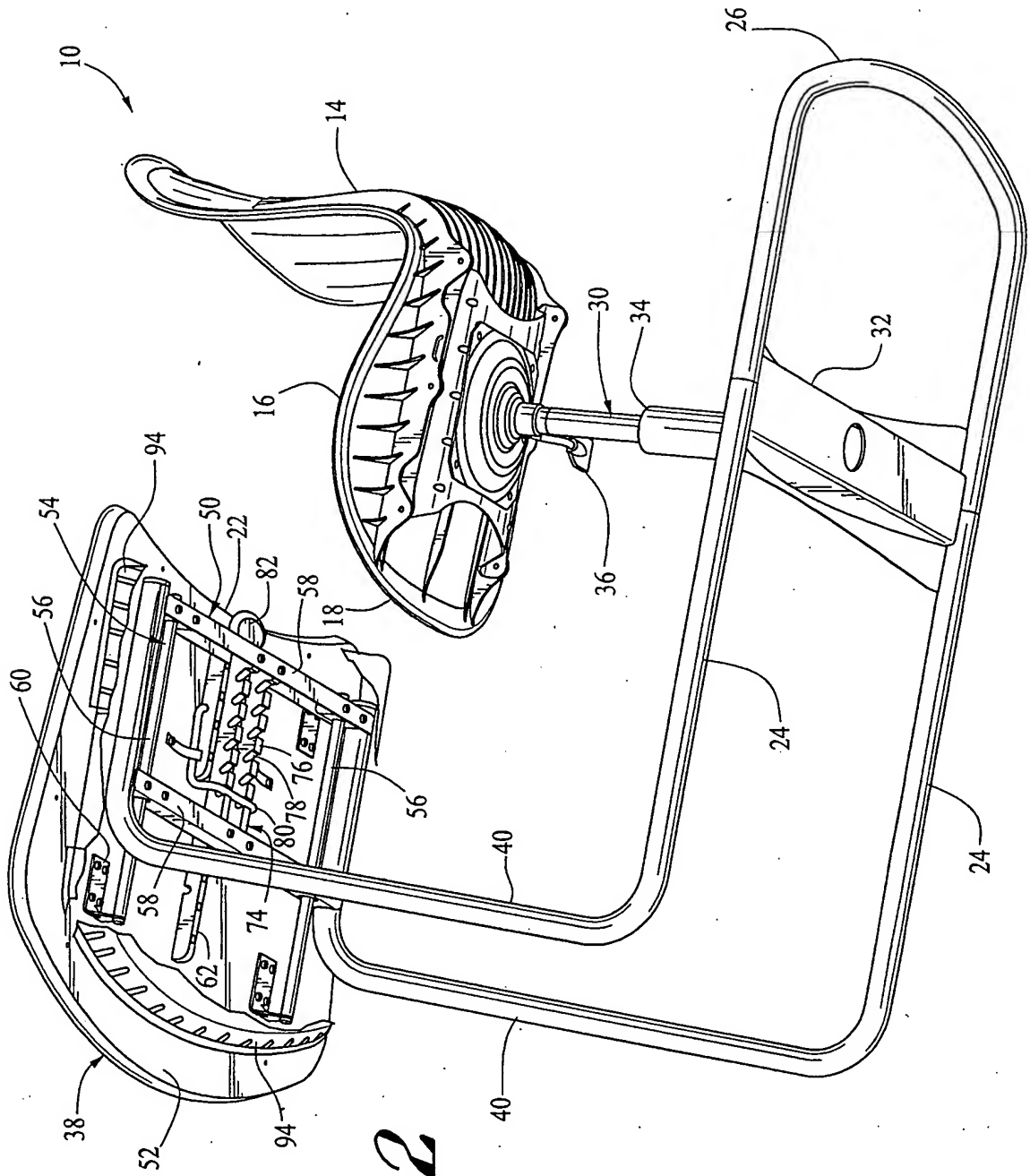
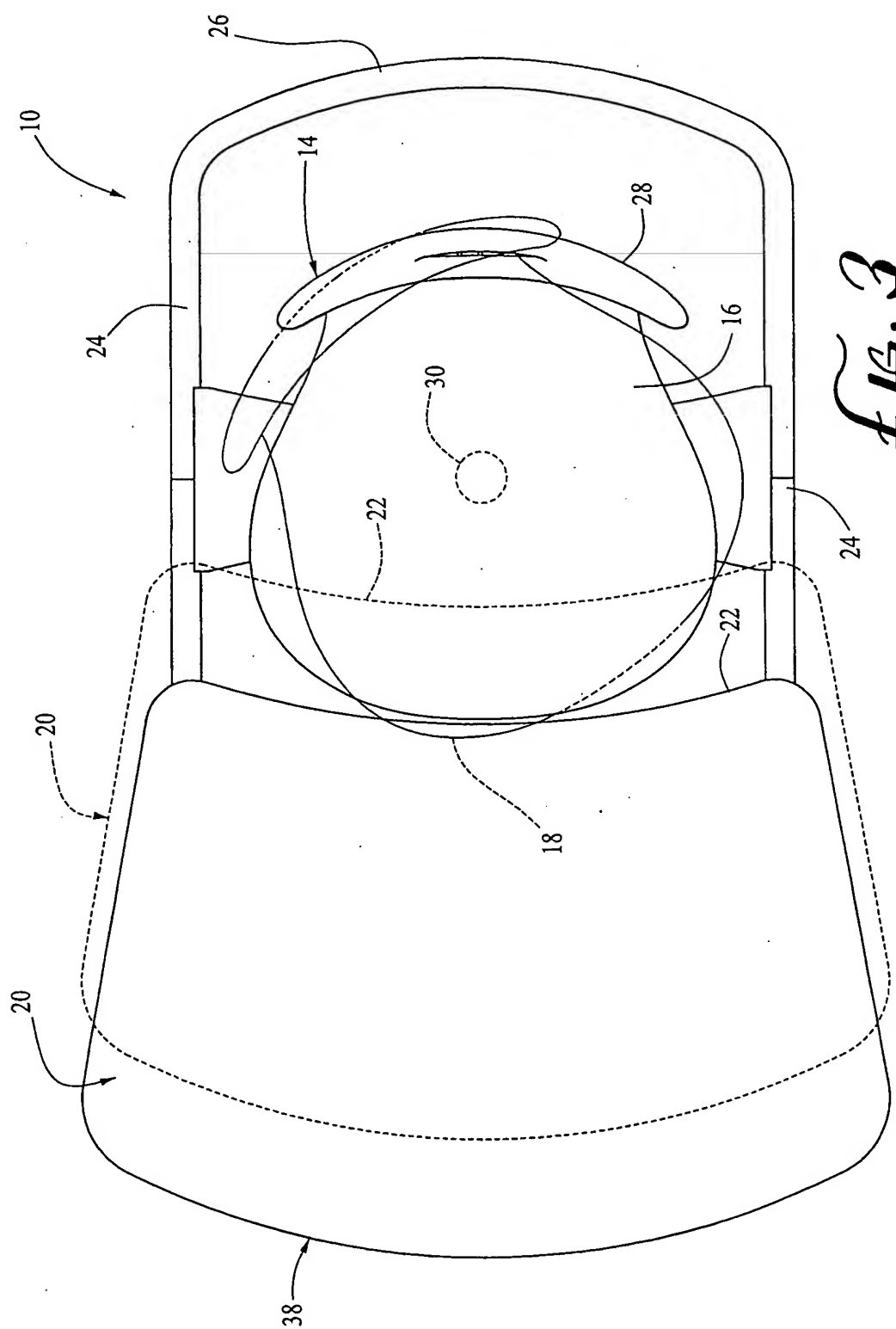
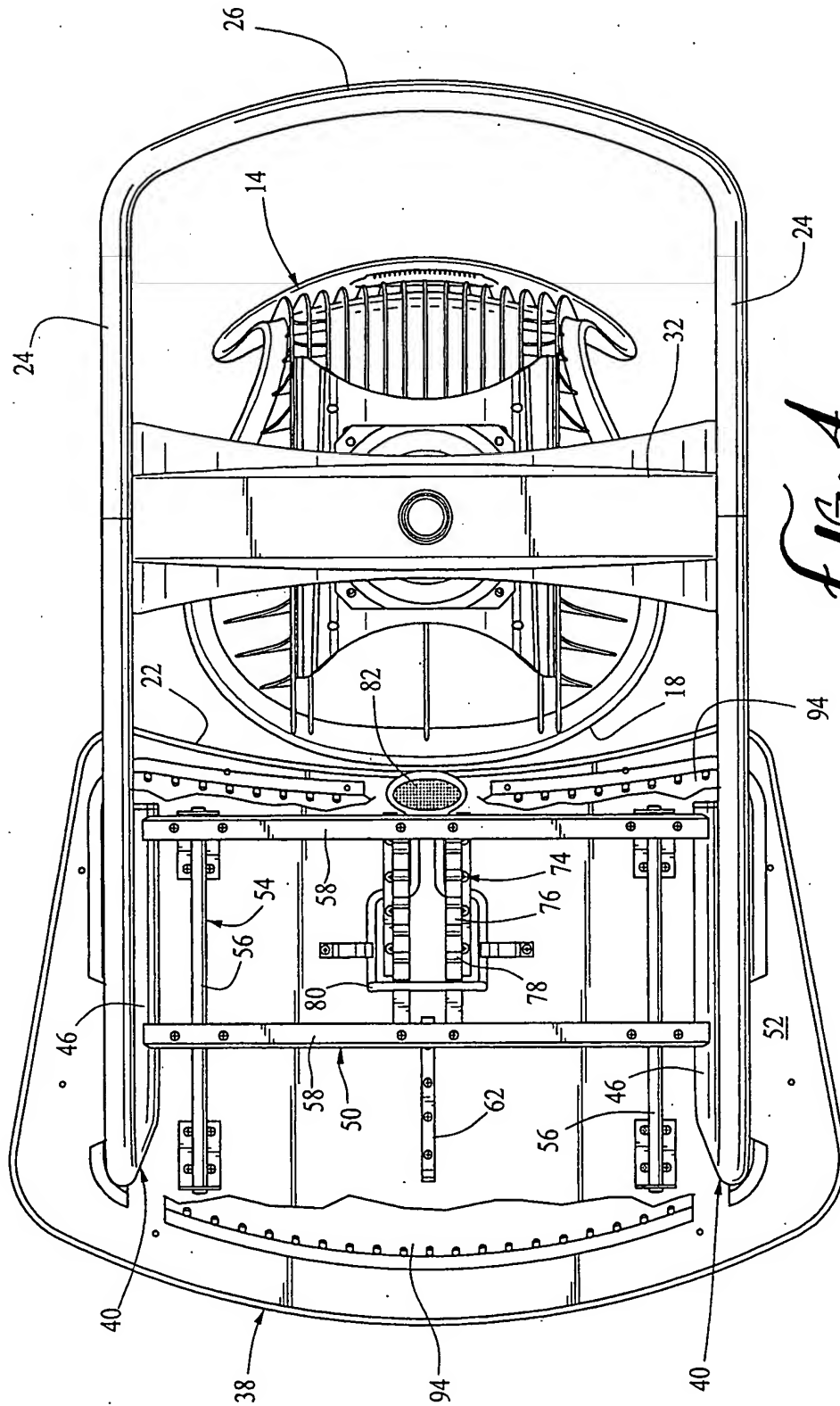
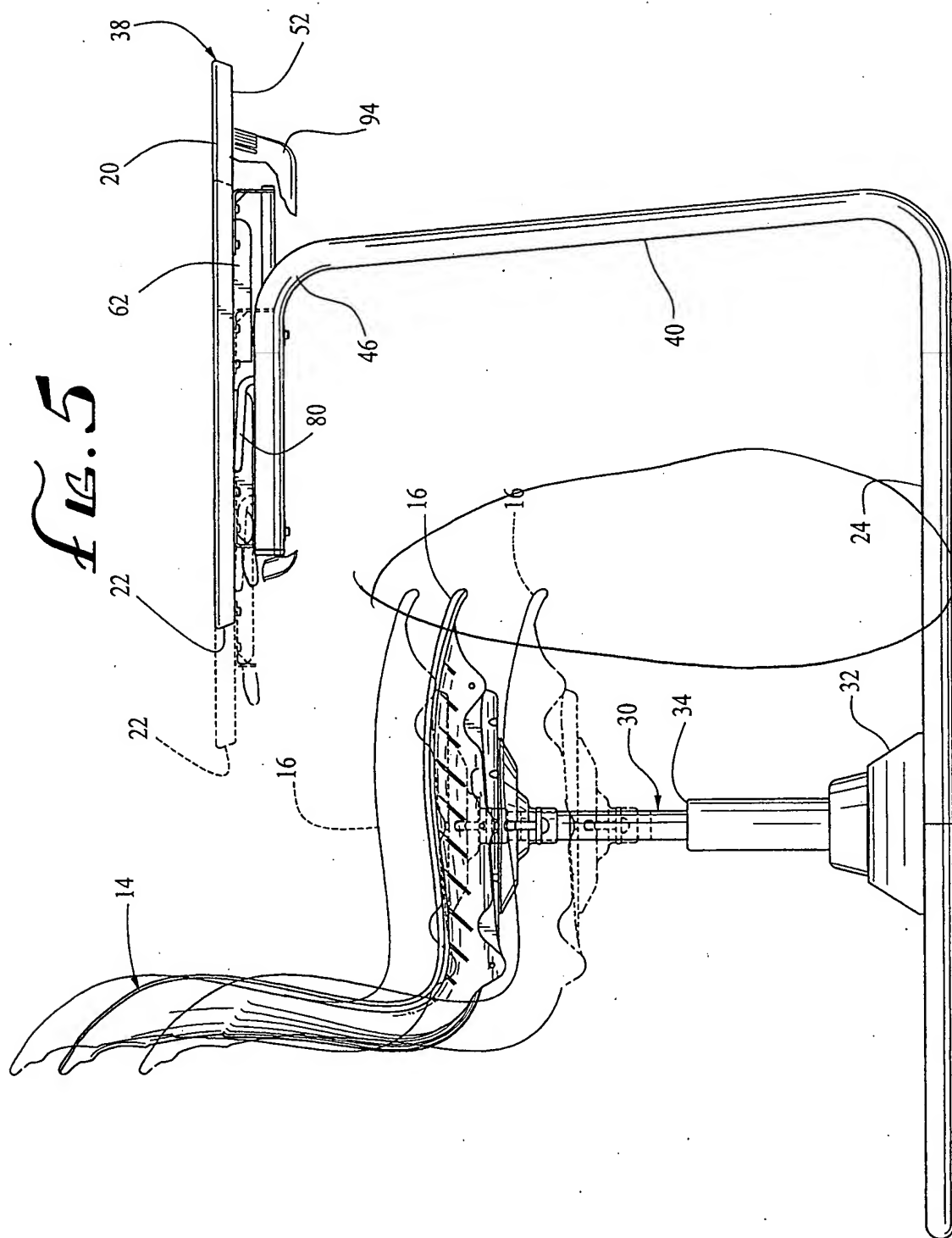


FIG. 2







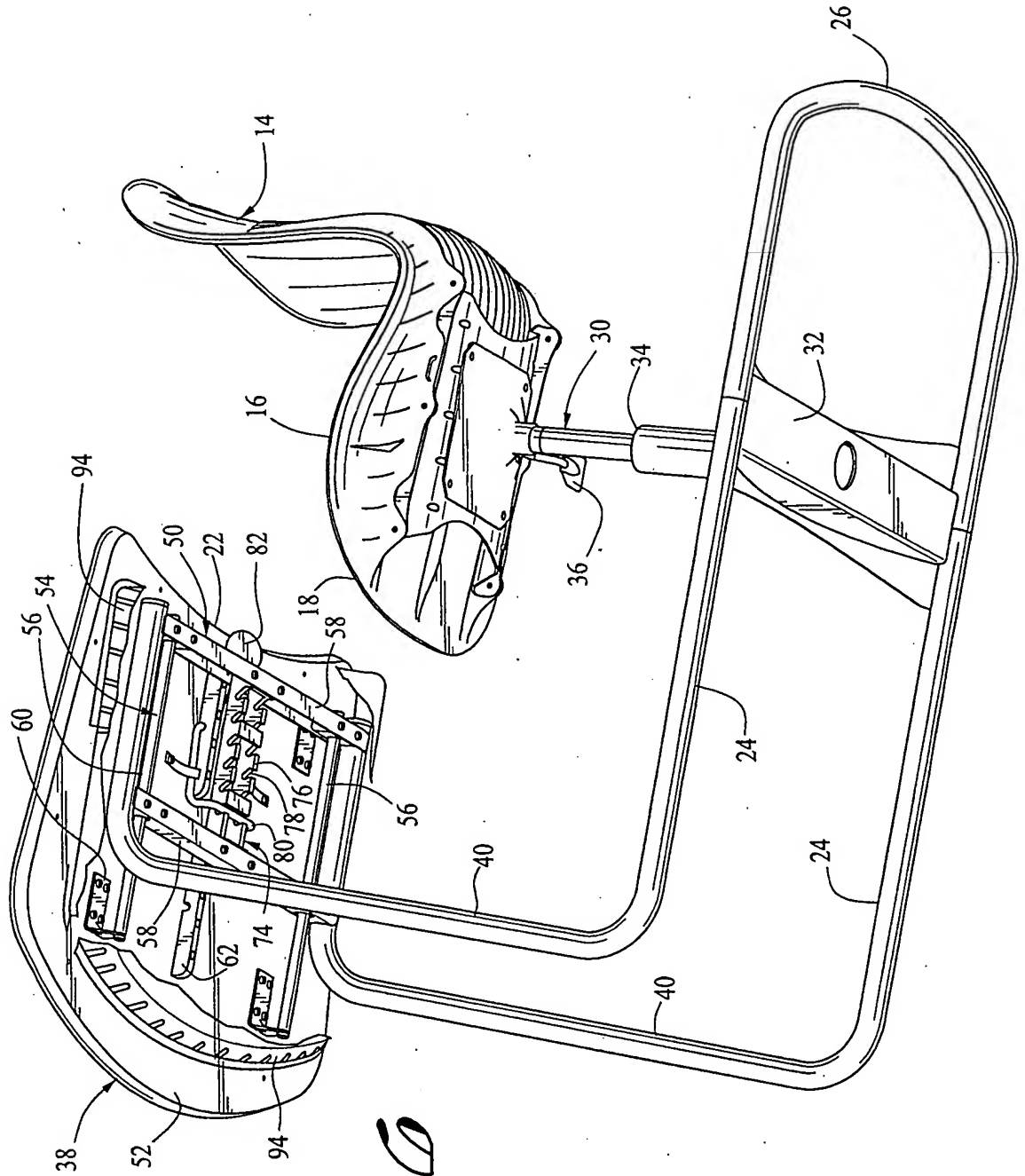


FIG. 10

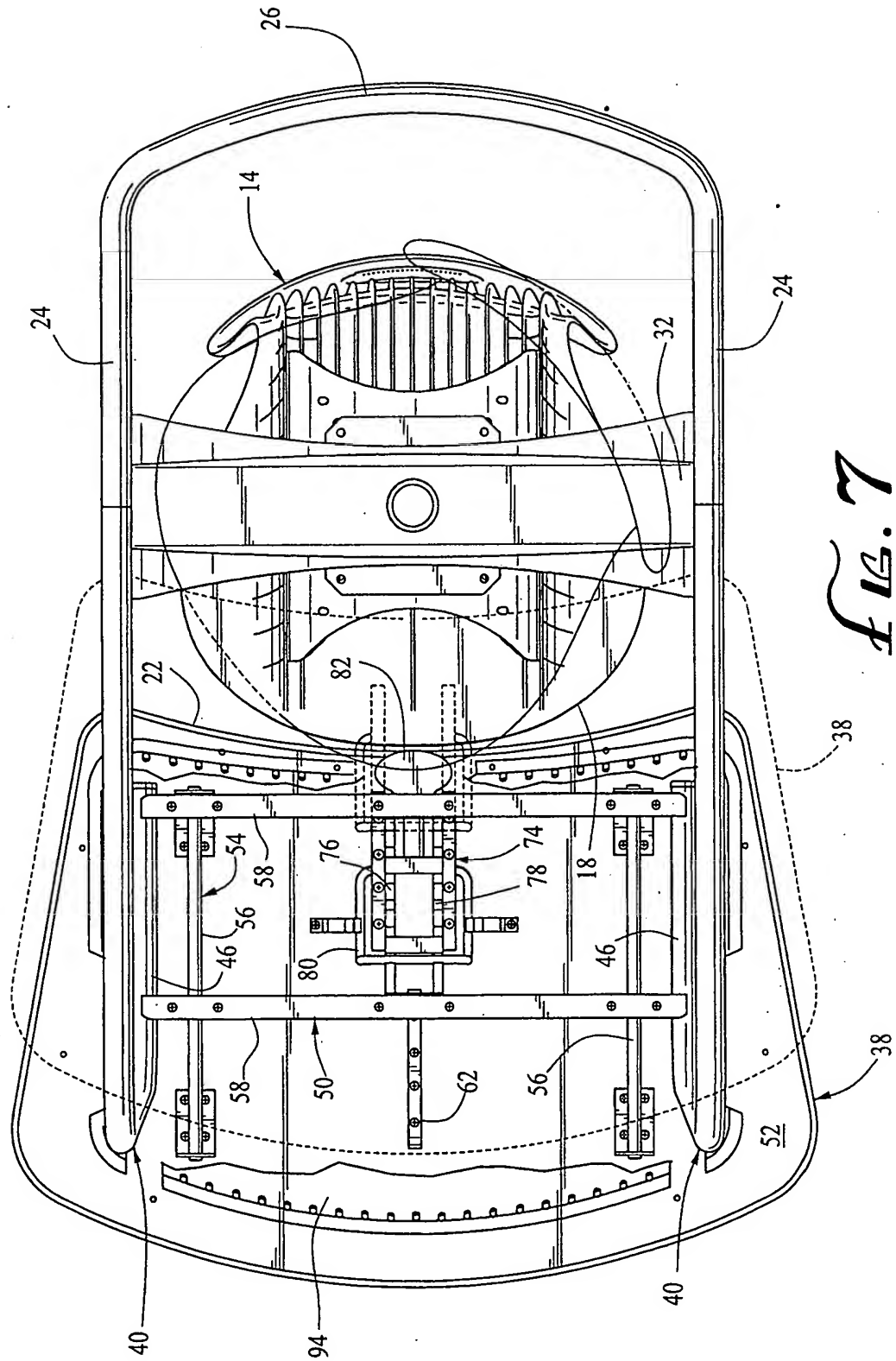


FIG. 7

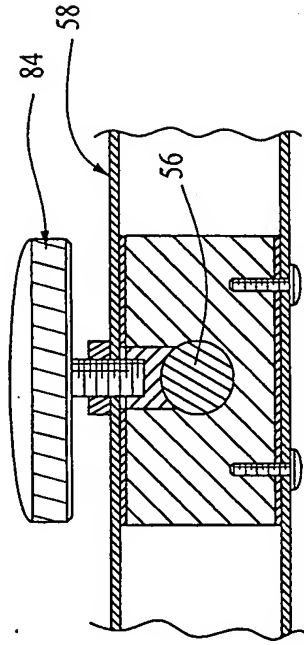


FIG. 9

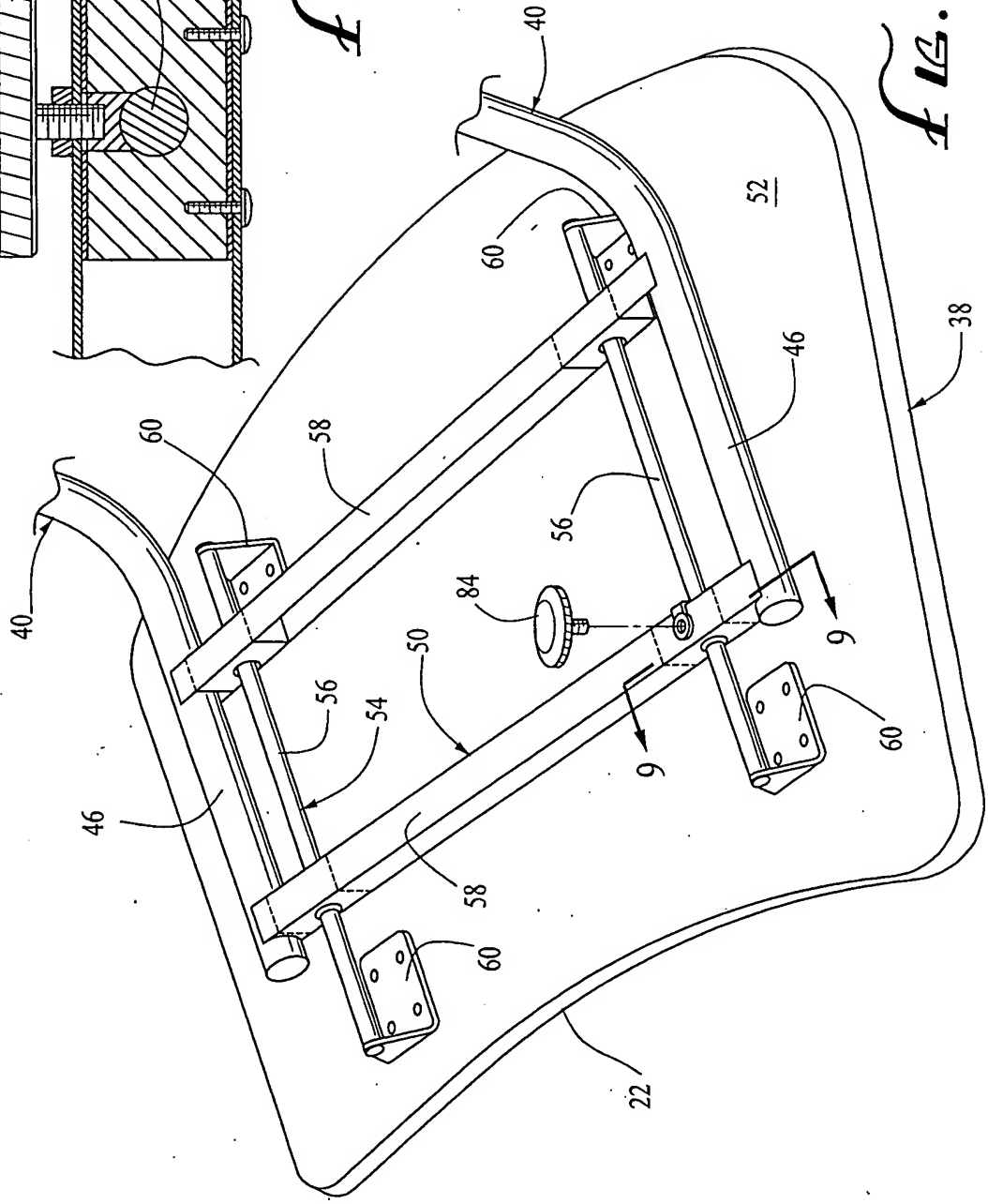


FIG. 8

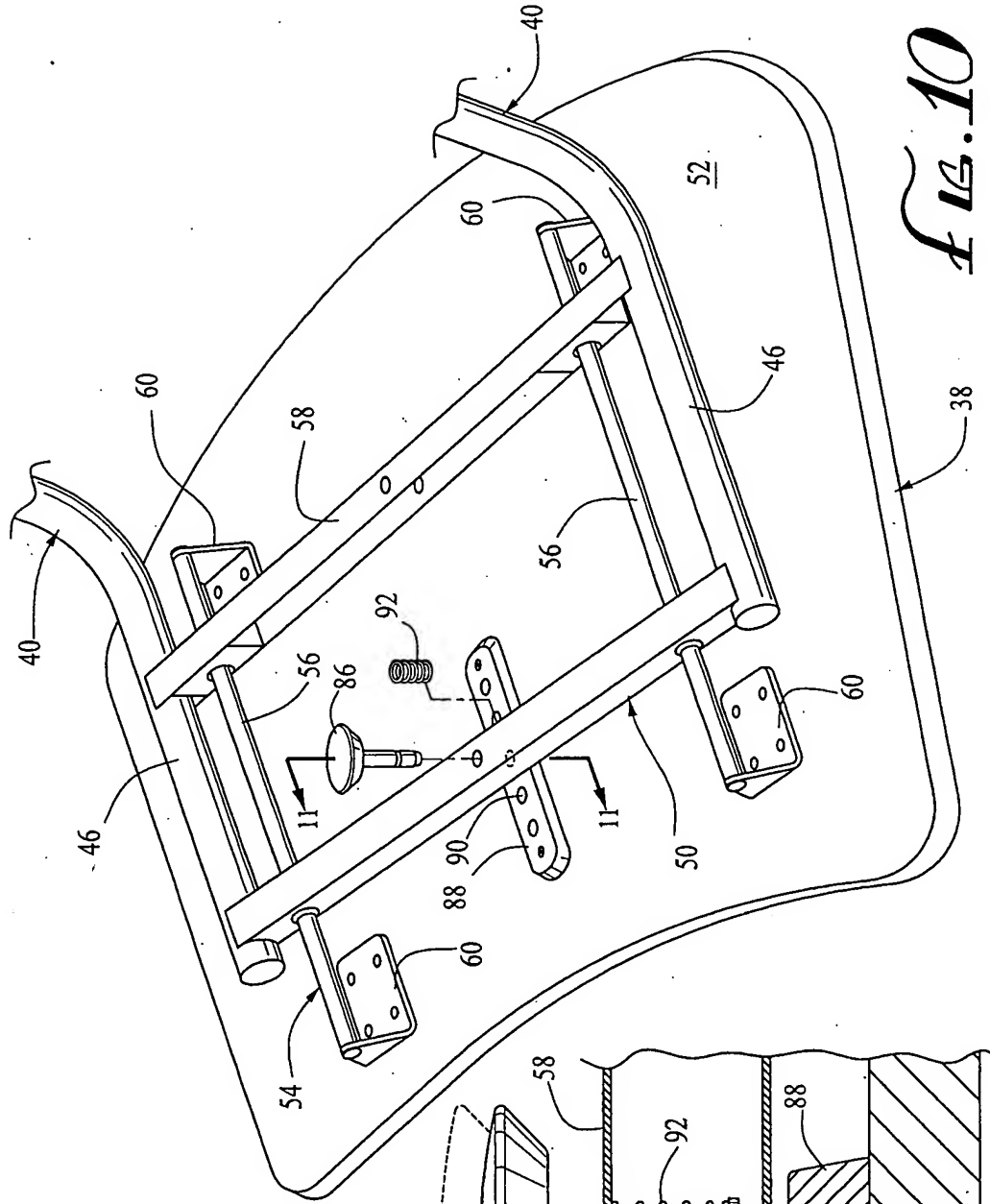


FIG. 11

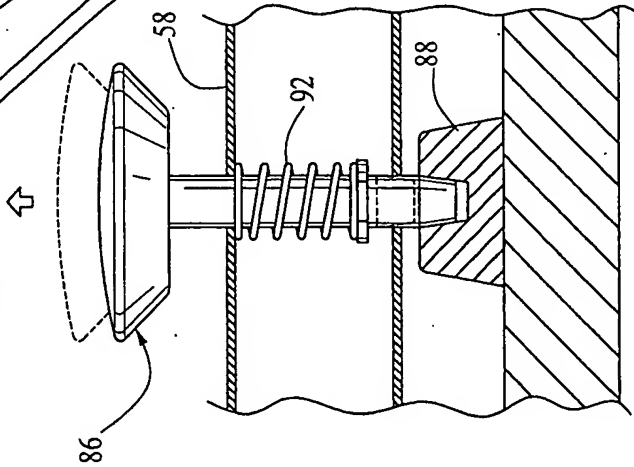


FIG. 12

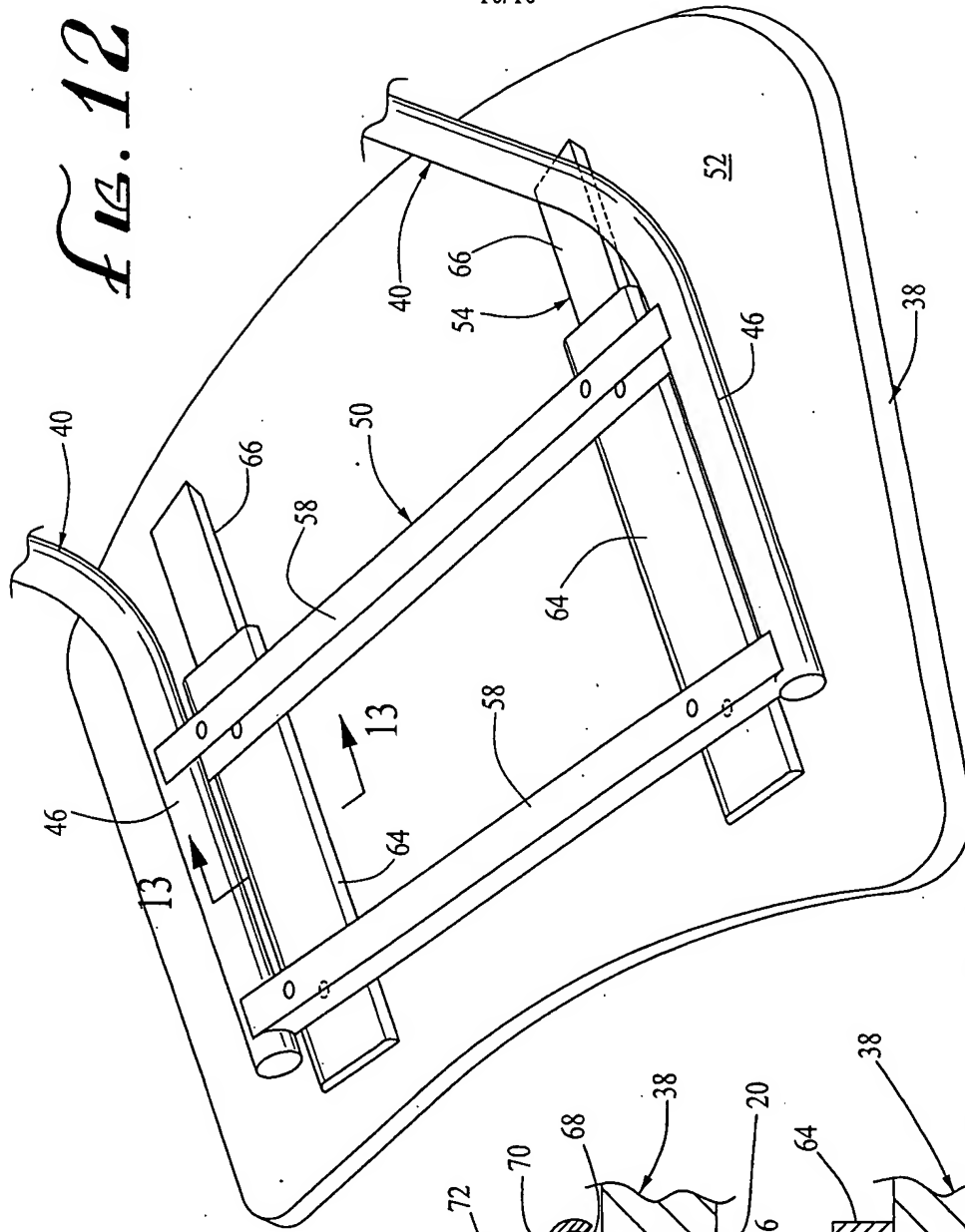


FIG. 14

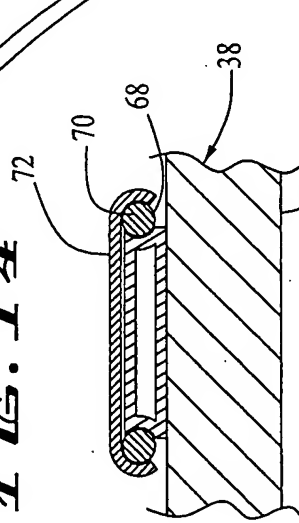


FIG. 13

